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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

Honorable Thomas S. Zilly
02-CV-01683-ORD

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

VALVE, L.L.C., a Washington limited liability
company,

Plaintiff,

v.

SIERRA ENTERTAINMENT, INC. (AKA
SIERRA ON-LINE, INC.), a Delaware
corporation,

Defendant.

Civil Action No. C02-1683Z

STIPULATION AND [PROPOSED]
ORDER TO EXTEND DISCOVERY
CUTOFF, PRE-TRIAL DEADLINES
AND TRIAL DATE

STIPULATION

Pursuant to Local Rule 37, the parties recently met and conferred regarding a discovery dispute. The parties have reached a potential resolution of that dispute. It is anticipated that the resolution of the parties' discovery dispute will require the production of substantial additional discovery, which will require additional time. Additionally, plaintiff believes there may be a need to join additional parties to the lawsuit, namely Vivendi Universal and Havas, corporate affiliates of Sierra Entertainment, Inc., and resolution of this issue will require additional time. Therefore, in order to allow for full and complete discovery in this case, the parties concur that the current pre-trial deadlines should be modified to allow

STIPULATION TO EXTEND
DISCOVERY CUTOFF, PRE-TRIAL
DEADLINES AND TRIAL DATE - 1

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1 additional time to finalize discovery. The current discovery cutoff of September 14, 2003 will
 2 not allow sufficient time to exchange the additional discovery called for by the parties'
 3 discovery plan.

4 The parties additionally stipulate that, even though they require an 3 month extension
 5 of the trial date and corresponding case deadlines, they will exchange written settlement
 6 demands by July 18, 2003 and that their attorneys will attend an in-person meeting before
 7 July 25, 2003 in an effort to settle this matter. This stipulation is in addition to the CR
 8 39.1(c)(2) obligations set forth below.

9 Accordingly, the parties hereby agree and stipulate that the remaining pre-trial
 10 deadlines, and the trial date, should be extended for approximately 3 months, as follows:

- | | | | |
|----|------|--|--|
| 11 | (1) | All motions relating to discovery must be
filed by and noted on the motion calendar no
later than the third Friday thereafter: | November 13, 2003 (formerly August 15, 2003) |
| 12 | | | |
| 13 | (2) | Discovery completed by: | December 15, 2003 (formerly Sept. 14, 2003) |
| 14 | (3) | All dispositive motions must be filed by
and noted for the third Friday thereafter: | January 14, 2004 (formerly October 14, 2003) |
| 15 | (4) | Settlement conference per CR 39.1(c)(2)
held no later than: | February 13, 2004 (formerly November 13, 2003) |
| 16 | (5) | Mediation per CR 39.1(c)(3) held
no later than: | March 12, 2004 (formerly December 13, 2003) |
| 17 | | | |
| 18 | (6) | All motions in limine must be filed by and
noted on the motions calendar no later than
the second Friday thereafter: | March 15, 2004 (formerly December 15, 2003) |
| 19 | (7) | Agreed pretrial order due: | March 29, 2004 (formerly December 31, 2003) |
| 20 | | | |
| 21 | (8) | Pretrial conference to be
held at 3:00 p.m. on: | April 2, 2004 (formerly January 2, 2004) |
| 22 | (9) | Trial briefs, proposed voir dire questions, jury
instructions, and proposed findings of fact and
conclusions of law: | April 7, 2004 (formerly January 7, 2004) |
| 23 | | | |
| 24 | (10) | TRIAL DATE: | April 12, 2004 (formerly January 12, 2004) |
| 25 | | Length of trial: | 7-10 days. |
| 26 | | | |

STIPULATION TO EXTEND
 DISCOVERY CUTOFF, PRE-TRIAL
 DEADLINES AND TRIAL DATE - 2

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DATED this 3 day of July, 2003.

Presented by:

PRESTON GATES & ELLIS LLP

By

Karl J. Quackenbush, WSBA #9602

Jason P. Holtman, WSBA #28233

Kristin J. Boraas, WSBA #32015

Attorneys for Plaintiff

Valve, L.L.C.

Approved as to form:

Approved for entry:

CHRISTENSEN O'CONNOR JOHNSON
KINDNESS

By

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Robert J. Carlson, WSBA #18455

Mark P. Walters, WSBA #30819

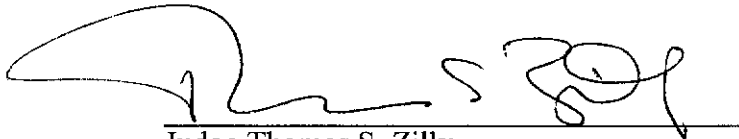
Attorneys for Defendant

Sierra Entertainment, Inc..

ORDER

IT IS SO ORDERED.

DATED: July 8, 2003.


Judge Thomas S. Zilly
United States District Court
Western District of Washington

STIPULATION TO EXTEND
DISCOVERY CUTOFF, PRE-TRIAL
DEADLINES AND TRIAL DATE - 3

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